

CHAPTER 27-02-15
EMPLOYER LIABILITY DETERMINATION PROCEEDINGS AND APPEALS

Section

27-02-15-01

Employer Liability Determination Proceedings and Appeals

27-02-15-01. Employer liability determination proceedings and appeals.

1. The director of the job insurance division or the director's designee may, after a notice and opportunity for hearing, make findings of fact and, on the basis thereof, determine whether an individual or organization is an employing unit, whether the service performed for an employing unit is employment, and whether an employing unit is an employer.
2. An interested party to a determination must be notified in writing of the division's intent to make such a determination. The parties shall have fifteen days from the date of the mailing of such notice to request a hearing prior to such determination. If no hearing is requested, the division may make a determination on the basis of reasonably available information.
3. If a hearing is requested, it must be conducted in the same manner as hearings on claims for benefits as provided for in chapter 27-03-06 except when North Dakota Century Code section 52-04-17 or the subject matter may otherwise require.
4. The director of the job insurance division or the director's designee shall promptly set forth in writing the division's findings of fact, the determination, and the reasons for such determination. Copies of such findings of fact and determination must be mailed to all interested parties and are final unless an appeal to the bureau is filed within fifteen days of the date of mailing.

History: Effective January 1, 1991.

General Authority: NDCC 52-02-02

Law Implemented: NDCC 52-04-17